

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **FAX RECEIVED**

In re Application of: SUN et al.

APR 24 2003

Serial No.: 10/054,935

Examiner: Susan Ungar, Ph.D.

**GROUP 1600**

Filed: January 25, 2002

Group Art Unit: 1642

For: **Breast Cancer Transcription Factor Gene and Uses****OFFICIAL****NOTICE OF INSUFFICIENT FILING FEES**

The attached notice states that insufficient filing fees were submitted for the above-identified application. However, as shown in the copy of the "Fee Transmittal" letter which accompanied the application, the correct fees were paid, and moreover, authorization was given to charge any additional fees to the deposit account.

The Commissioner is hereby authorized to charge any additional fees to Deposit Account 501761, including the fee of \$63 alleged not to have been submitted previously.

Respectfully submitted,

By: 

Richard M. Lebovitz (Reg. No. 37,067)  
OriGene Technologies, Inc.  
6 Taft Court, Suite 100  
Rockville, MD 20850

Filed: April 23, 2003

Docket: 16U 107 R1

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being  
facsimile transmitted to the U.S. Patent and  
Trademark Office (Fax No. (703) 308-4242)

on 23 April 2003  
(Date)

  
(Signature)

Richard Lebovitz  
(Name)

TOTAL PAGES: 1

ACTUAL MAILER	FILING DATE	PRINT NAMED APPLICANT	ATTY. DOCKET
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EXAMINER

ART UNIT PAPER MAIL

DATE MAILED:

**NOTICE OF INSUFFICIENT FILING FEES**

APPLICANT IS GIVEN 30 DAYS FROM THE DATE OF MAILING OF THIS NOTICE WITH WHICH TO SUBMIT THE BALANCE DUE. Extension of this 30 day period under CFR 1.136(a) will not be permitted. Failure to respond within this period will result in the application becoming abandoned. 35 U.S.C. 133.

The filing fees submitted in connection with this application are insufficient. See the attached Patent Application-Fee Determination Rec (Form PTO-875). The balance due for additional claims and/or multiple dependent claims is summarized below:

☐ **A. Filing Fees due upon filing the application**

Total Filing Fees Due	= \$	<u>433.00</u>
Less Filing Fees Submitted	= \$	<u>( 370.00 )</u>
BALANCE DUE	= \$	<u>63.00</u>

☐ **B. Fees due in connection with the amendment filed on \_\_\_\_\_**

Total Fees Due	= \$	_____
Less Fees Submitted	= \$	<u>( _____ )</u>
BALANCE DUE	= \$	_____

ATTACHMENT: FORM PTO-875

Clerk of Group

APPLICANT: PLEASE COMPLETE THIS PORTION AND RETURN THIS NOTICE WITH PAYH  
Fee submitted \$ \_\_\_\_\_ Signature \_\_\_\_\_

**CERTIFICATE OF MAILING**

I hereby certify that this notice and the required additional fee are being deposited with the U.S. POSTAL SERVICE as first class mail in an envelope addressed to  
Commissioner of Patents and Trademarks, Washington, D.C. 20531, on (date) \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

PTOL-319 (Rev. 7-92)

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ ) 433.00**Complete if Known**

Application Number	
Filing Date	
First Named Inventor	Sun et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	16U 107 RI

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 501761

Deposit Account Name OriGene Technologies, Inc.

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	370
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

**SUBTOTAL (1)** (\$ ) 370**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
27	-20** = 7	X 9	63
Independent Claims 3	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ ) 63

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(a)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
178 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ )**SUBMITTED BY**

Name (Print/Type)	Richard M. Lebovitz	Registration No. (Attorney/Agent)	37.067	Telephone	240-620-0268
Signature				Date	January 25, 2002

Complete (if applicable)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.